

Zoning Referrals September 19, 1968

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MEMORANDUM

TO: Boston Redevelopment Authority  
FROM: Hale Champion, Development Administrator  
SUBJECT: BOARD OF APPEAL REFERRALS

Re: Petition No. Z-1253  
Emanuel Manoloules  
145 Chiswick Road, Brighton

Petitioner seeks three variances to change occupancy from eight to ten apartments in an Apartment (H-1) District. The proposal would violate the code as follows:

	<u>Req'd.</u>	<u>Prop.</u>
Sect. 14-2 Lot area per additional dwelling unit is insufficient	1000 sq.ft./du	93 sq.ft./du
Sect. 15-1 Floor area ratio is excessive	1.0	1.91
Sect. 17-1 Usable open space is insufficient	400 sq.ft./du	303sq.ft./du

The property contains a 3 story and basement brick row apartment structure and is located on Chiswick Road near the intersection of Chiswick Road and Chestnut Hill Avenue. The petitioner proposes to provide two additional units on the basement level. The apartment use is consistent with the character of the area, however, the proposed increase in units would intensify an existing open space deficiency on this site. The staff is also of the opinion that the petitioner has included the parking and driveway areas in computing the open space requirement which is contrary to provisions of the code. The proposal would approximately double the floor area ratio allowed for this parcel. Recommend denial.

VOTED: That in connection with Petition No. Z-1253, brought by Emanuel Manoloules, 145 Chiswick Road, Brighton, for variances of insufficient lot area for additional dwelling unit, usable open space, and excessive floor area ratio to change occupancy from eight to ten apartments in an Apartment (H-1) District, the Boston Redevelopment Authority recommends denial. The proposed increase in apartment units would intensify the existing open space deficiency on this site. The proposal would approximately double the floor area ratio allowed for this parcel. Recommend denial.

Re: Petition No. Z-1255

Jean F. Parker

111 B Street, South Boston

Petitioner seeks a forbidden use permit and a variance to erect a one story building for the repair and sale of tires in an Apartment (H-1) and a General Business (B-1) District. The proposal would violate the code as follows:

	<u>Req'd.</u>	<u>Prop.</u>
Sect. 8-7 The repair and sale of tires is forbidden in an H-1 District.		
Sect. 20-1 Rear yard is insufficient	10 ft.	5 ft.

The property, located on B Street near the intersection of B and Athens Streets, is a vacant lot of approximately 4350 sq. ft. The area is of a general commercial character and the proposed occupancy would be consistent with existing uses.

Recommend approval.

VOTED: That in connection with Petition No. Z-1255, brought by Jean F. Parker, 111 B Street, South Boston, for a forbidden use permit and a variance of insufficient rear yard to erect a one story building for the repair and sale of tires in an Apartment (H-1) and General Business (B-1) District, the Boston Redevelopment Authority recommends approval. The proposed use is consistent with the existing commercial uses in the area.



Re: Petition No. Z-1256  
Donnelley Erdman  
6 Byron Street, Boston

Petitioner seeks a variance to change occupancy from a private school to a single family dwelling in an Apartment (H-2-65) District. The proposal would violate the code as follows:

	<u>Req'd.</u>	<u>Prop.</u>
Sect. 17-1 Usable open space is insufficient	150 sq. ft./du	0

The property, located on Byron Street near the intersection of Byron and River Streets, contains a two story brick building which was formerly a private school. The petitioner proposes to change occupancy to a single family residence. Since the building occupies the entire lot area, as is typical with most Beacon Hill properties, the petitioner is unable to provide the open space requirement of the code. The proposed single family conversion is desirable and consistent with the residential character of this area. Recommend approval.

VOTED: That in connection with Petition No. Z-1256, brought by Donnelley Erdman, 6 Byron Street, Boston, for a variance of insufficient open space to change occupancy from a school to a single family dwelling in an Apartment (H-2-65) District, the Boston Redevelopment Authority recommends approval. The proposal is desirable and consistent with the residential character of the area. The open space deficiency is typical with most Beacon Hill properties as the buildings usually occupy the entire lot area.

Re: Petition No. Z-1257  
Sherman Rogan  
261 West Newton Street, Boston

Petitioner seeks a change in a non conforming use to change occupancy from a store and four apartments to a dental office and four apartments in an Apartment (H-2) District. The proposal would violate the code as follows:

Sect. 9-2 A change in a non conforming use requires a Board of Appeal hearing.

The property, a three story brick structure, is located on West Newton Street near the intersection of West Newton Street and Huntington Avenue. The petitioner proposes to change the legal occupancy of the store, which is presently occupied as an attorney's office, to a dentist's office. The proposal is a reasonable use, and would provide a beneficial service to the neighborhood. Recommend approval.

VOTED: That in connection with Petition No. Z-1257, brought by Sherman Rogan, 261 West Newton Street, for a change in a non conforming use to change occupancy from a store and four apartments to a dental office and four apartments in an Apartment (H-2) District, the Boston Redevelopment Authority recommends approval. The proposal is a reasonable use and would provide a beneficial service to the neighborhood.



Re: Petition No. Z-1258  
 Arnold & Marie Canale  
 599-601 American Legion Highway, Mattapan

Petitioner seeks a Conditional Use Permit to change occupancy from a lounge and cafe to a furniture store in a Local Business (L-.5) District. The proposal would violate the code as follows:

Sect. 8-7 Furniture store is a Conditional Use in an L-.5 District.

The property, a one story frame structure, is located on American Legion Highway at the intersection of American Legion Highway and Canterbury Street. The petitioner would utilize the building for the retail sale of unfinished furniture. The proposal is consistent with the commercial character of the area and would be more desirable, and generate less traffic than the former occupancy. Recommend approval.

VOTED: That in connection with Petition No. Z-1258, brought by Arnold & Marie Canale, 599-601 American Legion Highway, Mattapan, for a Conditional Use Permit to change occupancy from a lounge and cafe to a furniture store in a Local Business (L-.5) District, the Boston Redevelopment Authority recommends approval. The proposal is consistent with the commercial character of the area and would be more desirable and generate less traffic than the former occupancy.

Re: Petition No. Z-1259  
Jerry Ciardiello  
47-49 Gladstone Street, East Boston

Petitioner seeks a variance to erect a two family dwelling in a Residential (R-.5) District. The proposal would violate the code as follows:

	<u>Req'd.</u>	<u>Prop.</u>
Sect. 14-1 Minimum of area for additional dwelling unit insufficient	3000sq.ft./du	2500sq.ft./du

The property, located on Gladstone Street near the intersection of Gladstone and Walley Streets is presently a vacant lot of 7500 square feet. The petitioner proposes to erect a two family dwelling on a parcel which is similar in size to other lots in the area. The violation is minimal and the proposal is consistent with residential character of area. Recommend approval.

VOTED: That in connection with Petition No. Z-1259, brought by Jerry Ciardiello, 47-49 Gladstone Street, East Boston, for a variance of insufficient lot area for additional dwelling unit to erect a two family dwelling in a residential (R-.5) District, the Boston Redevelopment Authority recommends approval. The property, a vacant lot of 7500 square feet, is similar in size to other lots in the area. The proposed two family dwelling is consistent with the residential character of the area.



Re: Petition No. Z-1260

Albany Carpet Cleaning Company  
18-38 Penniman Street, Brighton

Petitioner seeks a variance to erect a one story addition to an existing carpet cleaning structure in a Light Manufacturing (M-1) District. The proposal would violate the code as follows:

	<u>Req'd.</u>	<u>Prop.</u>
Sect. 20-1 Rear yard is insufficient	20 ft.	0

The property is located on Penniman Road near the intersection of Penniman Road and Braintree Street. The proposed expansion would be used primarily for storage. The yard violation would have no adverse effect on the adjacent properties in this industrial area. Recommend approval.

VOTED: That in connection with Petition No. Z-1260, brought by Albany Carpet Cleaning Company, 18-38 Penniman Street, Brighton, for a variance of insufficient rear yard to erect a one story storage addition to the existing carpet cleaning structure in a Light Manufacturing (M-1) District, the Boston Redevelopment Authority recommends approval. The proposed expansion would have no adverse effect on the adjacent industrial properties.

MEMORANDUM

TO: Boston Redevelopment Authority  
 FROM: Hale Champion, Development Administrator  
 DATE: September 19, 1968  
 SUBJECT: BOARD OF APPEAL REFERRALS

Re: Petition No. Z-1252  
 Theresa Zeghibe  
 58 Day Street, Jamaica Plain

Petitioner seeks five variances to change occupancy from a two family dwelling and a retail store to a three family dwelling and a retail store in a Local Business (L-.5) district. The proposal would violate the code as follows:

		Req'd.	Proposed
Sect. 14-1	Minimum lot area is insufficient	5000 sq.ft.	1923 sq.ft.
Sect. 14-2	Lot area for additional dwelling unit is insufficient	1500 sq.ft./du	0
Sect. 14-3	Lot width is insufficient	50 ft.	40 ft.
Sect. 14-4	Street frontage is insufficient	50 ft.	40 ft.
Sect. 17-1	Usable open space is insufficient	800 sq.ft./du	0

The property, located on Day Street at the intersection of Day and Roundhill Streets, is proximate to the Jefferson Playground and the Veterans Administration Hospital on Huntington Avenue. A two and one-half (2½) story structure exists on this unusually small parcel of approximately 1900 sq. ft. Although the petition and the Building Department records indicate the occupancy to be a variety store and two family residence, the petitioner alleges the occupancy to be a variety store and three family residence and seeks to legalize this occupancy. The staff, however, reviewed the site and found no visible or apparent indication of a three family residence. It is the opinion of the staff that the proposed increase in density would intensify the existing open space deficiency on this parcel and that the numerous zoning violations reflect the inappropriateness of the proposal for this particular property. Recommend denial.

VOTED: That in connection with Petition No. Z-1252, brought by Theresa Zeghibe, 58 Day Street, Jamaica Plain, for variances of insufficient lot area, lot area for additional dwelling unit, lot width, street frontage, and usable open space to change occupancy from a two family dwelling and a retail store to a three family dwelling and a retail store in a Local Business (L-.5) district, the Boston Redevelopment Authority recommends denial. The proposed increase in density is undesirable and would intensify the existing open space deficiency. The numerous zoning violations reflect the inappropriateness of the proposal for this particular property.



